



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 2

Meeting Date: December 6, 2022

Submitted to: Honorable Mayor and Members of the City Council

Department: Community Development Department

Staff Contact: Michael Fellows, AICP Community Development Manager
Mfellows@lemongrove.ca.gov

Kristen Steinke, City Attorney, ksteinke@bwslaw.com

Item Title: Second Reading of Ordinance 462 to Adopt by Reference the 2022 California Building Standards Code (Title 24)

Recommended Action: Introduce for its second reading Ordinance 462 to Adopt by Reference the 2022 California Building Standards Code (Title 24).

Summary/Discussion:

This item was originally considered and adopted without revision by a majority vote of the City Council on November 15, 2022. This is the second reading of the proposed ordinance (**Attachment A**). If adopted, the ordinance will become effective in 30 days.

Adoption of the California Building Standards occurs every three years and is required to stay current with California Building Standards. The new California Building Standards include the California Building Code the California Electrical Code, the California Mechanical Code, the California Plumbing Code, the California Residential Code, the California Fire Code, the California Green Building Standards Code, the California Historical Building Code, and the California Existing Building Code.

The staff report for this item from the November 15 meeting along with the related documents is attached as **Attachment B**.

Environmental Review:

☒ Not subject to review

☐ Negative Declaration

☐ Categorical Exemption, Section []

☐ Mitigated Negative Declaration

The proposed amendments to the Municipal Code are exempt from environmental review under section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines because they entail the adoption of uniform abatement of dangerous building codes and State mandated building and fire codes and with or without amendments intended to maintain and improve the public health, safety, and welfare, and will not have a significant effect on the environment.

Fiscal Impact: None

Staff Recommendation: Introduce for its second reading Ordinance 462 to Adopt by Reference the 2022 California Building Standards Code (Title 24).

Attachments:

Attachment A – Draft Ordinance

Attachment B –Staff Report for Introduction of Ordinance 462 from November 15, 2022 City Council Meeting

ORDINANCE NO. 462

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA RESCINDING CHAPTERS 15.04, 15.06, 15.08, 15.10, 15.14, 15.18, 15.20, 15.22, 15.24, 15.26, 15.28, 15.30, AND 15.32, OF TITLE 15 OF THE LEMON GROVE MUNICIPAL CODE, ENTITLED "BUILDINGS AND CONSTRUCTION", IN THEIR ENTIRETY, AND ADOPTING NEW CHAPTERS 15.04, 15.06, 15.08, 15.10, 15.14, 15.18, 15.20, 15.22, 15.24, 15.26, 15.28, 15.30, AND 15.32, ADOPTING THE 2022 CALIFORNIA BUILDING STANDARDS CODE, INCLUDING THE 2022 CALIFORNIA ADMINISTRATIVE CODE, THE 2022 CALIFORNIA BUILDING CODE, THE 2022 CALIFORNIA RESIDENTIAL CODE, THE 2022 CALIFORNIA ELECTRICAL CODE, THE 2022 CALIFORNIA MECHANICAL CODE, THE 2022 CALIFORNIA PLUMBING CODE, THE 2022 CALIFORNIA ENERGY CODE, THE 2022 CALIFORNIA HISTORICAL BUILDING CODE, THE 2022 CALIFORNIA EXISTING BUILDING CODE, THE 2022 CALIFORNIA GREEN BUILDING CODE AND THE 2022 CALIFORNIA REFERENCE STANDARDS CODE, AND LOCAL AMENDMENTS AND RELATED FINDINGS AND ADOPTING THE 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS AND LOCAL AMENDMENTS

***WHEREAS,** the City of Lemon Grove last revised its construction codes in 2019 per Ordinance 454 adopted December 17, 2019; and*

***WHEREAS,** Health & Safety Code Section 17958 mandates that the City of Lemon Grove shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health & Safety Code, Section 17922; and*

***WHEREAS,** the State of California Health & Safety Code Section 17922 imposes the same requirements as are contained in the 2022 California Building Standards Code including the 2022 California Administrative Code (Part 1), the 2022*

California Building Code (Part 2), the 2022 California Residential Code (Part 2.5), the 2022 California Electrical Code (Part 3), the 2022 California Mechanical Code (Part 4), the 2022 California Plumbing Code (Part 5), the 2022 California Energy Code (Part 6), the 2022 California Fire Code (Part 9), the 2022 California Existing Building Code (Part 10), the 2022 California Green Building Code (Part 11), and the 2022 California Reference Standards Code (Part 12); and

WHEREAS, *California Health and Safety Code section 17958.5 provides, in pertinent part, that a City may make such changes or modifications to the provisions published in the California Building Standards Code and other regulations adopted pursuant to Section 17922 as it determines, pursuant to the provisions of Section 17958.7, are reasonably necessary because of local climatic, topographical, or geological conditions; and*

WHEREAS, *the City Council finds in its independent judgment that the proposed amendments to the Municipal Code are exempt from environmental review under section 15061(b)(3) of the California Environmental Quality Act Guidelines because they entail the adoption of uniform abatement of dangerous building codes and State mandated building and fire codes and with or without amendments intended to maintain and improve the public health, safety, and welfare, and will not have a significant effect on the environment; and*

WHEREAS, *the City Council finds that the modifications and changes to the provisions of the California Building Standards Code (Title 24) are reasonably necessary because of the following climatic, geologic, and topographic conditions which are each individual justifications to each local amendment to the California Buildings Standards Title 24 Part 2 California Building Code, Part 2.5 California Residential Code, and Part 9 California Fire Code:*

- 1. The City is situated in hilly, inland terrain. Large areas are covered by native vegetation on steep and frequently inaccessible hillsides. The native ground cover is highly combustible grasses, dense brush and chaparral. Natural firebreaks in these areas are insignificant.*

2. *The climate is warm and dry. The winds prevail from the west with seasonal strong dry east winds that vary in duration and intensity. These winds can significantly enlarge wildland fire as well as cause abrupt and unpredictable changes in fire direction. Temperatures ranging between 75 and 100 degrees fahrenheit are common throughout the year.*
3. *The potential for fire damage is great in the wildland area, as such, a fire can spread rapidly and difficult terrain and explosive vegetation can slow response time.*
4. *The high water table, expansive clay-like soils, and history of unregulated grading including un-compacted fills existing within the City of Lemon Grove constitute local conditions that require that the California Building Standards Code be modified as expressed herein; and*

WHEREAS, *the City Council finds that the following findings required to approve an amendment of the Municipal Code can be made in accordance with Section 17.28.080(B) of the Municipal Code:*

1. *The proposed amendments are consistent with the General Plan, in accordance with Government Code Section 65860, as amended. The Lemon Grove General Plan Safety Element acknowledges the applicability of the codes contained within Title 24 as they are reflected in Title 15 of the Lemon Grove Municipal Code.*
2. *The public health, safety, and general welfare benefit from the adoption of the proposed amendments. The primary purpose of Title 24 is to promote public health and safety through the application of minimum construction standards; and*

WHEREAS, *on November 15, 2022, the City Council introduced and conducted the first reading of the Ordinance; and*

WHEREAS, *on December 6, 2022, the City Council conducted the second reading of the Ordinance; and*

NOW, THEREFORE, the City Council of the City of Lemon Grove, California, does ordain as follows:

SECTION ONE. The foregoing recitals are true and correct; and

SECTION TWO: Rescinds Chapters 15.04, 15.06, 15.08, 15.10, 15.14, 15.18., 15.20, 15.22, 15.24, 15.26, 15.28, 15.30, AND 15.32 of Title 15 of the Lemon Grove Municipal Code, entitled "BUILDINGS AND CONSTRUCTION", in their entirety; and

SECTION THREE: Introduces new Chapters 15.04, 15.06, 15.08, 15.10, 15.14, 15.18., 15.20, 15.22, 15.24, 15.26, 15.28, 15.30, AND 15.32 of Title 15 of the Lemon Grove Municipal Code, entitled "BUILDINGS AND CONSTRUCTION", to read as shown in the attached Exhibit A., and

SECTION FOUR: Finds that if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Lemon Grove hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, respective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional. If any provision of this Ordinance or application thereof to any person or circumstances is held invalid. Such invalidity shall not affect other provisions or applications and, to this end, the provisions of the Ordinance are declared to be severable, and

SECTION FIVE: Finds that nothing in this ordinance or in the Codes hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby rescinded as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance, and

SECTION 6: *This Ordinance shall be effective thirty (30) days following its adoption. Within fifteen (15) days following its adoption, the City Clerk shall publish the title thereof, as a summary as required by state law.*

INTRODUCED by the City Council on November 15, 2022. **PASSED AND ADOPTED** by the City Council of the City of Lemon Grove, State of California, on December 6, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Racquel Vasquez, Mayor

Attest:

Deborah Harrington, Interim City Clerk

Approved as to Form:

Kristen Steinke, City Attorney



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 2.
Meeting Date: November 15, 2022
Submitted to: Honorable Mayor and Members of the City Council
Department: Community Development Department and Fire Department
Staff Contact: Michael Fellows, AICP Community Development Manager;
Mfellows@lemongrove.ca.gov
Item Title: **Introduce Ordinance 462 to Adopt by Reference the 2022 California Building Standards Code (Title 24)**

Recommended Action: Introduce Ordinance 462 to adopt by reference the 2022 California Building Standards Code (Title 24).

Summary: Adoption of the California Building Standards occurs every three years and is required to stay current with California Building Standards.

Discussion: In June of 2022, the California Building Standards Commission published the new California Building Standards which include the California Building Code the California Electrical Code, the California Mechanical Code, the California Plumbing Code, the California Residential Code, the California Fire Code, the California Green Building Standards Code, the California Historical Building Code, and the California Existing Building Code.

The City of Lemon Grove Municipal Code (LGMC) Title 15 Buildings and Construction was last updated in December, 2019. The proposed Ordinance would rescind the 2019 California Building Standards from Title 15 and replace them with the 2022 California Building Standards. Implementation of the 2022 California Building Standards is required at the local level beginning in January, 2023.

Both the City Building Official and Fire Marshall assisted with preparation of this item and recommend introduction and approval of the Ordinance. The existing and proposed Municipal Code Title 15 text is provided in Attachment B. Text proposed to be deleted is shown in strikethrough type, and text proposed to be added is displayed as underlined type.

Environmental Review:

- ☒ Not subject to review Negative ☐ Declaration
☐ Categorical Exemption, Section | | ☐ Mitigated Negative Declaration

The proposed amendments to the Municipal Code are exempt from environmental review under section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines because they entail the adoption of uniform abatement of dangerous building codes and State mandated building and fire codes and with or without amendments intended to maintain and improve the public health, safety, and welfare, and will not have a significant effect on the environment.

Fiscal Impact: None

Public Notification: None.

Staff Recommendation: Introduce Ordinance 462 to adopt by reference the 2022 California Building Standards Code (Title 24).

Attachments:

Attachment A – Draft Ordinance

Attachment B – Title 15 Building and Construction Chapter Changes

Attachment A

ORDINANCE NO. 462

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA RESCINDING CHAPTERS 15.04, 15.06, 15.08, 15.10, 15.14, 15.18, 15.20, 15.22, 15.24, 15.26, 15.28, 15.30, AND 15.32, OF TITLE 15 OF THE

LEMON GROVE MUNICIPAL CODE, ENTITLED "BUILDINGS AND CONSTRUCTION", IN THEIR ENTIRETY, AND ADOPTING NEW CHAPTERS

15.04, 15.06, 15.08, 15.10, 15.14, 15.18, 15.20, 15.22, 15.24, 15.26, 15.28, 15.30, AND 15.32, ADOPTING THE 2022 CALIFORNIA BUILDING STANDARDS CODE, INCLUDING THE 2022 CALIFORNIA ADMINISTRATIVE CODE, THE 2022 CALIFORNIA BUILDING CODE, THE 2022 CALIFORNIA RESIDENTIAL CODE, THE 2022 CALIFORNIA ELECTRICAL CODE, THE 2022 CALIFORNIA MECHANICAL CODE, THE 2022 CALIFORNIA

PLUMBING CODE, THE 2022 CALIFORNIA ENERGY CODE, THE 2022 CALIFORNIA HISTORICAL BUILDING CODE, THE 2022 CALIFORNIA EXISTING BUILDING CODE, THE 2022 CALIFORNIA GREEN BUILDING CODE AND THE 2022 CALIFORNIA REFERENCE STANDARDS CODE, AND LOCAL AMENDMENTS AND RELATED FINDINGS

***WHEREAS,** the City of Lemon Grove last revised its construction codes in 2019 per Ordinance 454 adopted December 17, 2019; and*

***WHEREAS,** Health & Safety Code Section 17958 mandates that the City of Lemon Grove shall adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health & Safety Code, Section 17922; and*

***WHEREAS,** the State of California Health & Safety Code Section 17922 imposes the same requirements as are contained in the 2022 California Building Standards Code including the 2022 California Administrative Code (Part 1), the 2022 California Building Code (Part 2), the 2022 California Residential Code (Part 2.5), the 2022 California Electrical Code (Part 3), the 2022 California Mechanical Code (Part 4), the 2022 California Plumbing Code (Part 5), the 2022 California Energy Code (Part 6), the 2022 California Fire Code (Part 9), the 2022 California Existing Building Code (Part 10), the 2022 California Green Building Code (Part 11), and the 2022 California Reference Standards Code (Part 12); and*

***WHEREAS,** California Health and Safety Code section 17958.5 provides, in pertinent part, that a City may make such changes or modifications to the provisions published in the California Building Standards Code and other regulations adopted pursuant to Section 17922 as it determines, pursuant to the provisions of Section 17958.7, are reasonably necessary because of local climatic, topographical, or geological conditions; and*

***WHEREAS,** the City Council finds in its independent judgment that the proposed amendments to the Municipal Code are exempt from environmental*

review under section 15061(b)(3) of the California Environmental Quality Act Guidelines because they entail the adoption of uniform abatement of dangerous building codes and State mandated building and fire codes and with or without amendments intended to maintain and improve the public health, safety, and welfare, and will not have a significant effect on the environment; and

WHEREAS, the City Council finds that the modifications and changes to the provisions of the California Building Standards Code (Title 24) are reasonably necessary because of the following climatic, geologic, and topographic conditions which are each individual justifications to each local amendment to the California Buildings Standards Title 24 Part 2 California Building Code, Part 2.5 California Residential Code, and Part 9 California Fire Code:

- 1. The City is situated in hilly, inland terrain. Large areas are covered by native vegetation on steep and frequently inaccessible hillsides. The native ground cover is highly combustible grasses, dense brush and chaparral. Natural firebreaks in these areas are insignificant.*
- 2. The climate is warm and dry. The winds prevail from the west with seasonal strong dry east winds that vary in duration and intensity. These winds can significantly enlarge wildland fire as well as cause abrupt and unpredictable changes in fire direction. Temperatures ranging between 75 and 100 degrees fahrenheit are common throughout the year.*
- 3. The potential for fire damage is great in the wildland area, as such, a fire can spread rapidly and difficult terrain and explosive vegetation can slow response time.*
- 4. The high water table, expansive clay-like soils, and history of unregulated grading including un-compacted fills existing within the City of Lemon Grove constitute local conditions that require that the California Building Standards Code be modified as expressed herein; and*

WHEREAS, the City Council finds that the following findings required to approve an amendment of the Municipal Code can be made in accordance with Section 17.28.080(B) of the Municipal Code:

1. The proposed amendments are consistent with the General Plan, in accordance with Government Code Section 65860, as amended. The Lemon Grove General Plan Safety Element acknowledges the applicability of the codes contained within Title 24 as they are reflected in Title 15 of the Lemon Grove Municipal Code.
2. The public health, safety, and general welfare benefit from the adoption of the proposed amendments. The primary purpose of Title 24 is to promote public health and safety through the application of minimum construction standards; and

WHEREAS, on November 15, 2022, the City Council introduced and conducted the first reading of the Ordinance.

NOW, THEREFORE, the City Council of the City of Lemon Grove, California, does ordain as follows:

SECTION ONE. The foregoing recitals are true and correct; and

SECTION TWO: Rescinds Chapters 15.04, 15.06, 15.08, 15.10, 15.14, 15.18.,

15.20, 15.22, 15.24, 15.26, 15.28, 15.30, AND 15.32 of Title 15 of the Lemon Grove Municipal Code, entitled "BUILDINGS AND CONSTRUCTION", in their entirety; and

SECTION THREE: Introduces new Chapters 15.04, 15.06, 15.08, 15.10, 15.14, 15.18., 15.20, 15.22, 15.24, 15.26, 15.28, 15.30, AND 15.32 of Title 15 of the Lemon Grove Municipal Code, entitled "BUILDINGS AND CONSTRUCTION", to read as shown in the attached Exhibit A., and

SECTION FOUR: Finds that if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The Council of the City of Lemon Grove hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, respective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional. If any provision of this Ordinance or application thereof to any person or circumstances is held invalid. Such invalidity shall not affect other provisions or applications and, to this end, the provisions of the Ordinance are declared to be severable, and

SECTION FIVE: *Finds that nothing in this ordinance or in the Codes hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby rescinded as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance, and*

SECTION 6: *The City Clerk shall publish the title thereof, as a summary after introduction of the porpsoed ordinance.*

INTRODUCED *by the City Council of the City of Lemon Grove. State of California on November 15, 2022. by the following vote:*

AYES:

NOES:

ABSENT:

ABSTAIN:

Racquel Vasquez, Mayor

Attest:

Audrey Malone, City Clerk

Approved as to Form:

EXHIBIT A

TEXT OF PROPOSED REGULATIONS

NOTE: The existing and proposed text of the City of Lemon Grove Municipal Code, Title 15 Buildings and Construction is shown below.

Text proposed to be removed is shown in strikethrough type. Text proposed to be added is displayed in underlined type.

There are no changes proposed to Chapters 15.33, 15.38, 15.44, 15.48, 15.50, and 15.52.

Chapter 15.04 GENERAL PROVISIONS

15.04.010 Variances from regulations.

The community development manager shall have and exercise the power and authority granted the building department by Section 17951 of the Health and Safety Code.

15.04.020 Adoption of state regulations.

Any rules and regulations adopted by the Department of Industrial Relations of the state of California pursuant to the State Housing Law which impose restrictions greater than those imposed by this title are adopted and shall be applicable to the city and shall be enforced by the departments, officers, employees and agents of the city in the same manner as city ordinances regulating the erection, construction, alteration, maintenance, sanitation, occupancy or ventilation of buildings, provided, however, no fees prescribed by such rules or regulations shall be applicable excepting so far as they are greater than the fees prescribed by this title. One copy of Title 24, the 2022 California Code of Regulations, is filed in the office of the city clerk.

15.04.030 Severability and validity.

If any section of this title is declared invalid by a court of law, the remaining sections shall remain valid. The city council hereby declares that it would have passed this title, and each chapter, section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more chapters, sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional, and if for any reason this title should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

Chapter 15.06 ADMINISTRATIVE CODE

15.06.010 Adoption of the California Administrative Code, Part 1, Title 24 of the California Code of Regulations.

There is hereby adopted by reference that certain document known as the California Administrative Code, Part 1, Title 24 of the 2022 California Code of Regulations. Said document is adopted without change for the purpose of establishing the administration, organization, and enforcement of rules and regulations for the technical codes adopted by the city. All provisions of the California Administrative Code, 2022 Edition, are referred to, adopted and made a part of this code, as though fully set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

Chapter 15.08 BUILDING CODE

15.08.010 Adoption of the 2022 California Building Code

There is adopted and incorporated by reference herein as the city building code for the purpose of prescribing regulations in the city of Lemon Grove for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings and structures, the 2022 California Building Code. Except as otherwise provided by this chapter of the city of Lemon Grove Municipal Code, all erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings and structures within the city of Lemon Grove shall be in conformance with the 2022 California Building Code.

15.08.020 Findings.

The city of Lemon Grove has large brush-covered hillsides. The city is subject to frequent Santa Ana conditions consisting of dry gusting winds, which create extreme fire dangers. The city council specifically finds that these geographic and topographic conditions necessitate greater fire protection than that provided by the State Building Code. Therefore, this chapter alters the 2022 California Building Code to require more fire retardant roof coverings.

15.08.030 Deletions, revisions and additions to the 2022 California Building Code.

Deletions, revisions and additions to the 2022 California Building Code shall be as set forth in Sections 15.08.040 through 15.08.060.

15.08.040 Chapter 1, Scope and Administration, Division II—Deletions, revisions, and additions.

Section 101.1 is replaced to read: Title. These regulations shall be known as the Building Code of the City of Lemon Grove, hereinafter referred to as “this code.”

Add Section 103.1.1 General. Whenever the terms or the title “administrative authority,” “responsible official,” “Building Official,” “chief inspector,” “code enforcement officer” or other similar designation is used herein or in any of the technical codes, it shall be construed to mean the person appointed as Building Official by the Lemon Grove City Council or his or her duly authorized representative.

Add Section 105.3.1.1. Permits shall not be issued for construction on a site where the City Engineer determines that a grading permit or public improvements are required until the City Engineer notifies the Building Official that the grading or public improvements work has been satisfactorily completed to allow building permits to be issued. Permits shall not be issued if the City Engineer determines that a flooding or geologic condition at the site may endanger the public safety or welfare.

Add Section 105.3.3 Permit denial. The chief building official may deny the issuance of a building permit on any property where there exists an unsafe or substandard building as provided in this title, or where unlawful construction exists, or where exists a significant violation of this code.

Add Section 105.5.1 Expiration of Plan Review. Applications for which no permit is issued within one year following the date of application shall expire by limitation, and plans and other data

submitted for review may thereafter be returned to the applicant or destroyed by the building official. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

Add Section 109.1.1 Fee Exceptions. The Government of the United States of America, the State of California, and local school districts proposing work exempt from building permits, the County of San Diego, and the City of Lemon Grove shall not be required to pay any fees for filing an application for a building permit pursuant to this code unless City plan review and inspection services are requested. If so requested, the fee schedules adopted in a resolution by the City Council shall apply.

Add Section 109.2.1 Plan Review Fees. When submittal documents are required by Section 107, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be as shown in a resolution adopted by the City Council. The plan review fees specified in this section are separate fees from the permit fees specified in Section 109.2 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107.3.4.1, an additional plan review fee shall be charged at the rate shown in a resolution duly adopted by the City Council.

Add Section 109.2.2 Demolition Permit Fee. The fee for a permit to demolish a building or portion of a building shall be as set forth in a resolution duly adopted by the City Council.

Section 109.3 is replaced to read: Building Permit Valuations. The determination of value or valuation under any of the provisions of these codes shall be made by the building official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire-extinguishing systems and other permanent equipment. The permit fees for those projects subject to State energy code compliance shall be as set forth in a resolution adopted by the City Council.

Section 109.6 is replaced to read:

Fee Refunds. The building official may authorize refunding of a fee paid or portion of a fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 114.4 is replaced to read: Violation penalties. Any person, firm, or corporation violating any of the provisions of this Code or the Technical Codes shall be guilty of a misdemeanor, and each such person shall be deemed guilty of separate offenses for each and every day or portion thereof during

which any violation of any of the provisions of this Code is committed, continues or permitted, and upon conviction of any such violation, such person shall be punished by a fine of not more than \$500.00 or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

Add Section 114.5 Declaration of Public Nuisance. Any building or structure erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished, equipped, used, occupied or maintained contrary to the provisions of this chapter shall be and the same is hereby declared to be unlawful and a public nuisance. The City Attorney shall, upon order of the City Council, commence necessary proceedings for the abatement, removal and/or enjoinder of any such public nuisance in the manner provided by law. Any failure, refusal or neglect to obtain permit as required by this chapter shall be prima facie evidence of the facts that a public nuisance has been committed in connection with the erection, construction, enlargement, alteration, repair, improvement, movement, removal, conversion or demolition, equipment, use occupancy, or maintenance of a building or structure erected, constructed, enlarged, repaired, moved, improved, removed, converted, or demolished, used, occupied, or maintained contrary to the provisions of this chapter.

15.08.060 Appendix Chapters C, H, and I.

Appendix Chapters C, H and I of the 2022 California Building Code are adopted.

Chapter 15.10 RESIDENTIAL CODE

15.10.010 Adoption of the 2022 California Residential Code, Part 2.5, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the city residential code for the purpose of establishing provisions for the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade, the 2022 California Residential Code. Except as otherwise provided by this title of the city of Lemon Grove Municipal Code, all construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal or demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade within the city of Lemon Grove, shall be in conformance with the 2022 California Residential Code, published by the California Building Standards Commission.

15.10.020 Chapter 1, Division II, Administration of the 2019 California Residential Code shall be amended as follows:

Section R101.1 is replaced to read: Title. These regulations shall be known as the Residential Building Code of the City of Lemon Grove, hereinafter referred to as “this code.”

Add Section R103.1.1 General. Whenever the terms or the title “administrative authority,” “responsible official,” “Building Official,” “chief inspector,” “code enforcement officer” or other similar designation is used herein or in any of the technical codes, it shall be construed to mean the person appointed as Building Official by the Lemon Grove City Council or his or her duly authorized representative.

Add Section R105.1.1 Permit denial. The chief building official may deny the issuance of a building permit on any property where there exists an unsafe or substandard building as provided in this title, or where unlawful construction exists, or where a significant violation of this code exists.

Standards

Page |

Section R105.3.1 shall be amended to add: Permits shall not be issued for construction on a site where the City Engineer determines that a grading permit or public improvements are required until the City Engineer notifies the Building Official in writing that the grading or public improvements work has been satisfactorily completed to allow building permits to be issued.

Permits shall not be issued if the City Engineer determines that a flooding or geologic condition at the site may endanger the public safety or welfare.

Add Section R108.1.1: The Government of the United States of America, the State of California, and local school districts proposing work exempt from building permits, the County of San Diego, and the City of Lemon Grove shall not be required to pay any fees for filing an application for a building permit pursuant to this code unless City plan review and inspection services are requested. If so requested, the fee schedules adopted in a resolution by the City Council shall apply.

Section R108.5 is replaced to read: Fee Refunds. The building official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section R113.4 is replaced to read: Violation penalties. Any person, firm, or corporation violating any of the provisions of this Code or the Technical Codes shall be guilty of a misdemeanor, and each such person shall be deemed guilty of separate offenses for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continues or permitted, and upon conviction of any such violation, such person shall be punished by a fine of not more than \$500.00 or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

Add Section R113.5 Declaration of Public Nuisance. Any building or structure erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished, equipped, used, occupied or maintained contrary to the provisions of this chapter shall be and the same is hereby declared to be unlawful and a public nuisance. The City Attorney shall, upon order of the City Council, commence necessary proceedings for the abatement, removal and/or injunction of any such public nuisance in the manner provided by law. Any failure, refusal or neglect to obtain permit as required by this chapter shall be prima facie evidence of the facts that a public nuisance has been committed in

2022 California Building Code

November 15, 2022

connection with the erection, construction, enlargement, alteration, repair, improvement, movement, removal, conversion or demolition, equipment, use occupancy, or maintenance of a building or structure erected, constructed, enlarged, repaired, moved, improved, removed, converted, or demolished, used, occupied, or maintained contrary to the provisions of this chapter.

15.10.040 Appendix Chapter H.

Appendix Chapter H of the 2022 California Residential Building Code is hereby adopted.

Chapter 15.14 ELECTRICAL CODE

15.14.010 Adoption of the California Electrical Code, Part 3, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the city electrical code for the purpose of prescribing regulations in the city of Lemon Grove for the installation, alteration or repair of electrical systems and permit requirements and inspection thereof, the 2022 California Electrical Code, Part 3, Title 24 of the California Code of Regulations, a portion of the 2022 California Building Standards Code based on the National Electrical Code. Except as otherwise provided by this chapter of the city of Lemon Grove Municipal Code, all installation, alteration or repair of electrical systems within the city of Lemon Grove shall be in conformance with 2022 California Electrical Code, published by the California Building Standards Commission.

Chapter 15.18 MECHANICAL CODE

15.18.010 Adoption of the California Mechanical Code, Part 4, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the city mechanical code for the purpose of prescribing regulations in the city of Lemon Grove for the erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances, the 2022 California Mechanical Code, Part 4, Title 24 of the California Code of Regulations, a portion of the 2022 California Building Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq. Except as otherwise provided by this chapter of the city of Lemon Grove Municipal Code, all erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances shall be in conformance with 2022 California Mechanical Code and any rules and regulations promulgated pursuant thereto, published by the California Building Standards Commission.

Chapter 15.20 PLUMBING CODE

15.20.010 Adoption of the California Plumbing Code, Part 5, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the city plumbing code for the purpose of prescribing regulations in the city of Lemon Grove for the construction, alteration, moving, demolition, repair and use of all plumbing, gas or drainage piping and systems or water heating or treating equipment in or on any building or structure or outdoors on any premises or property, the 2022 California Plumbing Code, Part 5, Title 24 of the 2022 California Code of Regulations, a portion of the 2022 California Building Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq. Except as otherwise provided by this chapter of the city of Lemon Grove Municipal Code, all construction, alteration, moving, demolition, repair and use of all plumbing, gas or drainage piping and systems or water heating or treating equipment within the city of Lemon Grove shall be in

conformance with 2022 California Plumbing Code which is based on the Uniform Plumbing Code published by the California Building Standards Commission.

Chapter 15.22 ENERGY CODE

15.22.010 Adoption of the 2016 California Energy Code, Part 6, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the city energy code for the purpose of prescribing regulations in the city of Lemon Grove for the conservation of energy the 2022 California Energy Code, Part 6, Title 24 of the California Code of Regulations, a portion of the 2022 California Building Standards Code, as defined in the California Health and Safety Code, Section 18901. Except as otherwise provided by this chapter of the city of Lemon Grove Municipal Code, all construction of buildings where energy will be utilized shall be in conformance with California State Code and any rules and regulations promulgated pursuant thereto, including the 2022 California Energy Code, published by the California Energy Commission.

Chapter 15.24 HISTORIC BUILDING CODE

15.24.010 Adoption of the 2022 California Historic Building Code, Part 8, Title 24 of the California Code of Regulations.

The 2022 California Historic Building Code is hereby adopted by reference without change to Buildings and Construction Title 15 of the Lemon Grove Municipal Code.

Chapter 15.26 FIRE CODE

15.26.010 California Fire Code, 2022 Edition—Adopted by reference.

The California Fire Code, 2022 Edition, and including Appendix Chapters 4, B, BB, C, CC, H, and O but excluding section 111 and 112.4 as published by the International Code Council, is adopted by reference as the fire code of the city (the “fire code”), for protecting the interests of health, life and safety as they relate to the use or occupancy of building or premises. All of the regulations, provisions, penalties, conditions and terms of the California Fire Code 2022 Edition, are referred to adopt and made a part of this chapter as though fully set out in this chapter, excepting such portions as are added, deleted, modified or amended by this chapter. The California Fire Code is referred to in this chapter as the “CFC” and one copy is on file in the office of Lemon Grove City Clerk.

Repealing of Previous Ordinance

The City of Lemon Grove adopting by reference the California Fire Code, 2022 Edition, known as the California Code of Regulations, Title 24, Part 9 incorporating the International Fire Code, 2018 Edition, published by the International Code Council, and all other ordinances or parts of ordinance in conflict herewith are hereby repealed.

15.26.020 Section 101.1 Amended—Title.

Section 101.1 of the CFC is amended to read as follows:

101.1 Title. These regulations will be known as the Fire Code of the City of Lemon Grove, hereinafter referred to as “this code.”

15.26.030 Section 105.3.1 Amended—Expiration.

Section 105.3.1 of the CFC is amended to read as follows:

105.3.1 Expiration. An operational permit shall remain in effect until reissued, renewed or revoked, or such a period of time as specified in the permit. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within one hundred eighty days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of one hundred eighty days after the time the work is commenced. The max life of any construction permit is three years. If a final inspection is not obtained within the three-year time period, a permit will become invalid and a new permit will be required. Before such work commences, a new permit shall be first obtained and the fee to recommence work, if any, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. Permits are not transferable and any changes in occupancy, operation, and tenancy or ownership shall require that a new permit be issued.

15.26.040 Section 111 Amended and 111.1 added—Board of appeals.

Section 111 of the CFC is amended to read as follows:

Appeals Board. Appeals to the decisions or determinations made by the Fire Marshal, or fire code official relative to the application and interpretation of the fire code adopted by the City, the applicant may appeal the decision to the Lemon Grove City Council within thirty (30) days from the date of the decision appealed

Section 111.1: Limitations on authority. An Application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder has been incorrectly interpreted, the provision of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall not have authority to waive requirements of this code.

15.26.050 11.04.060 Section 112.4 Amended- Violation Penalties.

Section 112.4 is amended to read as follows:

Violation Penalties. Any person who violates a provision of this code or shall fail to comply with any of the requirements thereof or who shall to erect, install, alter, repair or do work in violation of the approved construction documents or lawful directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of an infraction, punishable by a fine of not more than \$1,000 dollars in the manner established in Lemon Grove Municipal Code Section 1.12.010(c). Each day that causes any incident and thereby requires the agency to provide emergency response shall reimburse the agency for the cost incurred. A violation continues after due notice has been served shall be deemed a separate offense The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time as determined by the fire code official.

15.26.060 Section 113.4 Amended—Failure to comply.

Section 113.4 of the CFC is amended to read as follows:

Section 113.4 Failure to Comply. Any person, who shall continue any work having been served with a stop work notice, except such work as that the person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$250.00 dollars or more than \$1,000 dollars as provided by the Lemon Grove Municipal Code Section 1.12.010(c).

15.26.070 Section 107 amended and added—Schedule of fees.

Section 107.2 of the CFC is amended to read as follows:

107.2 Schedule of fees. The permit fees for all permits authorized by this code shall be as listed in the City of Lemon Grove Schedule of Fees.

Section 107.7 of the CFC is added to read as follows:

107.7 Cost Recovery. This section is to establish authority to obtain reimbursements from responsible individuals for the expenses of any emergency response and/or code enforcement action by the City of Lemon Grove Fire Department to protect the public from fire or hazardous substances and situations as allowed by the general laws of the State of California and the Lemon Grove Municipal Code.

Section 113.8 of the CFC is added to read as follows:

113.8 Reimbursements.

(a) in accordance with the Health as Safety Code Section 13000 et seq., any individual who acts negligently or in violation of the law and thereby requires the jurisdiction to provide an emergency response to a danger posed by a fire or hazardous substances shall be liable for reimbursement to the agency for the cost incurred.

(b) In accordance with Government Code Sections 53150 through 53158, any individual who is under the influence of an alcoholic beverage or any drug or the combined influence of an alcoholic beverage or any drug, and whose negligent operation of a motor vehicle, boat or vessel, or civil aircraft caused by that influence, proximately causes any incident and thereby requires that agency to provide an emergency response shall reimburse the agency for the cost incurred.

Section 113.9 of the CFC is added to read as follows:

113.9 Expense Recovery. This section establishes authority to obtain from responsible individuals for the expanse of any emergency response and/or enforcement action by the City of Lemon Grove Fire Department to protect the public from fire, hazardous substances and dangerous situations as allowed under the Lemon Grove Municipal Code and by laws if the State of California.

Section 113.10 of the CFC is added to read as follows:

113.10 Cumulative Remedies. The remedies contained in this code are cumulative and inclusive of other remedies contained in the Lemon Grove Municipal Code. Nothing herein prevents the City Attorney or appropriate enforcement officer from pursuing remedies set out in Chapters 1.12, 1.14, 1.24 or any other remedy at law or equity to address violations of this code. Nothing herein shall prevent the application of civil remedies authorized by Lemon Grove Municipal Code Section

15.26.080 Section 202 Amended—Definitions.

Section 202 of the CFC is amended by adding the following definitions:

Accessory Structure is a building or structure used to shelter or support any material, equipment, chattel, or occupancy other than a habitable building. (A) (See Structure).

Combustible Vegetation is material that in its natural state will readily ignite, burn and transmit fire from the vegetation growth to any structure: this includes ground fuels which are any native or landscape vegetation not considered a tree and generally in contact with the ground.

Fire Authority Having Jurisdiction (FAHJ) is the designated entity providing enforcement of the fire regulations as they relate to planning, construction, and development. This entity may also provide fire suppression and other emergency services.

Fire Department is any regularly organized fire department, fire protection district, a legally formed volunteer fire department recorded with the County of San Diego, or a fire company regularly charged with the responsibility of providing fire protection to the jurisdiction.

Fire Hazard is anything that increases or could create an increase of hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing or extinguishing fire or anything or act which could obstruct, delay, hinder or interfere with the operations of the fire department or egress of the occupants in the event of fire.

Fuel Modification Zone is a strip of land where combustible vegetation has been thinned, modified or both and partially or totally replaced with approved drought tolerant, fire resistant, and/or irrigated plants to provide an acceptable level of risk from vegetation fires. Fuel modification reduces radiant and convective heat, thereby reducing the amount of heat exposure on the roadway or structure and providing fire suppression forces a safer area in which to take action.

Hazardous Fire Area is any geographic area mapped by State or local jurisdiction as a high or very high fire hazard area, or as set forth by the FAHJ that contains the type and condition of vegetation, topography, weather, and structure density to potentially increase the possibility of vegetation conflagration fires shall be considered a hazardous fire area.

Heavy Timber Construction as described in the California Building Code.

Off-site Roadway is a road, street, public highway, or private road, used for fire apparatus access from a publicly maintained road to the boundary of the subject property.

On-site Roadway is a road, street, public highway, private road, or driveway used for fire apparatus access within the boundaries of the subject property or land division.

Planning Authority Having Jurisdiction (PAHJ) is the identified authority regulating and enforcing planning and/or construction standards.

Response Time is the elapsed time from the fire department's receipt of the first alarm to when the first fire unit arrives on the scene.

Travel Time is the estimated time it would take for a responding agency to travel from the fire station to the furthest structure in a proposed development project, determined by measuring the safest, most direct, appropriate, and reliable route with consideration given to safe operating speeds for heavy fire apparatus.

Vegetation Conflagration is an uncontrolled fire spreading through vegetative fuels, and exposing and consuming structures in the advancing path of fire.

15.26.090 Section 503.2.1 Amended—Dimensions.

Section 503.2.1 of the CFC is amended to read as follows:

Section 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed improved width of not less than twenty (20) feet, except for single family residential driveways not to exceed 150 feet in length from the public-right-of-way and serving no more than two single family dwellings, shall have a minimum of sixteen (16) feet unobstructed improved width. Any of the following, which have separated lanes of one way traffic: gated entrances with card readers; guard stations or center medians, are allowed, provided that each lane is not less than fourteen (14) feet wide. All fire apparatus access roads shall have an unobstructed vertical clearance of not less than thirteen feet six inches (13'6"). Vertical clearance or road width shall be increased when, in the opinion of the fire code official, vertical clearances or road widths are not adequate to provide fire apparatus access.

15.26.100 Section 503.3.1 Added—Fire lane designation.

Section 503.3.1 of the CFC is added to read as follows:

503.3.1 Fire lane designation. Where the fire code official determines that it is necessary to ensure adequate fire access, the fire code official may designate existing roadways as fire access roadways as provided by Vehicle Code Section 22500.1(public) or 22658(a) (private).

15.26.110 Section 505.1 amended—Premises identification.

Section 505.1 of the CFC is amended to read as follows:

Section 505.1 Address Identification. Address Numbers. Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background, and shall meet the following minimum standards as to size: minimum three inches (3") high with a one-half inch (½") stroke for individual suites and apartments, minimum four inches (4") high with a one-half inch (½") stroke for residential buildings, minimum eight inches (8") high and one-half (½") stroke for commercial, multi-residential building, and industrial buildings. Additional numbers shall be required where deemed necessary by the fire code official, such as rear access doors, building corners, and entrances to commercial centers. The fire code official may require larger address numbers based on visibility and the needs of emergency response personnel.

15.26.120 Section 505.3 added—Response Map Updates.

Section 505.3 of the CFC is added to read as follows:

505.3 Response map Updates. Any new development, which necessitates updating of the emergency response maps by virtue of new structures, hydrants, roadways or similar features, shall be required to provide map updates in a format compatible with current department mapping services, and shall be charged a reasonable fee for updating all response maps.

15.26.190 Section 5704.2.9.6.1 Amended—Location where above-ground tanks are prohibited.

Section 5704.2.9.6.1 of the CFC is amended to read as follows:

Location where above-ground tanks are prohibited. Storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited except for zones classified as commercial or industrial.

15.26.200 Section 5706.2.4.4 Amended—Location where above-ground tanks are prohibited.

Section 5706.2.4.4 of the CFC is amended to read as follows:

5706.2.4.4 Location where above-ground tanks are prohibited. Storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited except for zones classified as commercial or industrial.

15.26.210 Section 5806.2 Amended—Limitations.

Section 5806.2 of the CFC is amended to read as follows:

5806.2 Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited except for zones classified as commercial or industrial.

15.26.220 Section 6104.2 Amended—Maximum capacity within established limits.

Section 6104.2 of the CFC is amended to read as follows:

6104.2 Maximum capacity within established limits. The geographic limit in which the bulk storage of liquefied petroleum gas is prohibited for the protection of heavily populated and congested areas is hereby established as jurisdiction limits of the City of Lemon Grove except for areas zoned for industrial use.

Chapter 15.28 EXISTING BUILDING CODE

15.28.010 Adoption of the 2016 California Existing Building Code, Part 10, Title 24 of the California Code of Regulations.

The California Existing Building Code, 2022 Edition, Chapter 15.28 is adopted by reference without change to Buildings and Construction Title 15 of the Lemon Grove Municipal Code.

Chapter 15.30 GREEN BUILDING CODE

15.30.010 Adoption of the 2022 California Green Building Code, Part 11, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the city green building code for the purpose of prescribing regulations in the city of Lemon Grove for improved public health safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encourage sustainable construction practices, the 2022 California Green Building Standards Code, Part 11, Title 24 of the California Code of Regulations, a portion of the 2022 California Building Standards Code, as defined in the California Health and Safety Code, Section 18901.

Except as otherwise provided by this chapter of the city of Lemon Grove Municipal Code, all construction of buildings shall comply with the design, operation construction, use and occupancy of every newly constructed building or structure, unless otherwise indicated in this code shall be in conformance with the California Green Building Code published by the California Building Standards Commission.

Chapter 15.32 REFERENCE STANDARDS CODE

15.32.010 Adoption of the 2022 California Referenced Standards Code, Part 12, Title 24 of the California Code of Regulations.

The California Referenced Standards Code, 2022 Edition, Chapter 15.32 is adopted by reference without change to Buildings and Construction Title 15 of the Lemon Grove Municipal Code.

Attachment B

Chapter 15.04 GENERAL PROVISIONS

15.04.010 Variances from regulations.

The community development manager shall have and exercise the power and authority granted the building department by Section 17951 of the Health and Safety Code.

15.04.020 Adoption of state regulations.

Any rules and regulations adopted by the Department of Industrial Relations of the state of California pursuant to the State Housing Law which impose restrictions greater than those imposed by this title are adopted and shall be applicable to the city and shall be enforced by the departments, officers, employees and agents of the city in the same manner as city ordinances regulating the erection, construction, alteration, maintenance, sanitation, occupancy or ventilation of buildings, provided, however, no fees prescribed by such rules or regulations shall be applicable excepting so far as they are greater than the fees prescribed by this title. One copy of Title 24, the 2022 California Code of Regulations, is filed in the office of the city clerk.

15.04.030 Severability and validity.

If any section of this title is declared invalid by a court of law, the remaining sections shall remain valid. The city council hereby declares that it would have passed this title, and each chapter, section,

subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more chapters, sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional, and if for any reason this title should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

Chapter 15.06 ADMINISTRATIVE CODE

15.06.010 Adoption of the California Administrative Code, Part 1, Title 24 of the California Code of Regulations.

There is hereby adopted by reference that certain document known as the California Administrative Code, Part 1, Title 24 of the 2022 California Code of Regulations. Said document is adopted without change for the purpose of establishing the administration, organization, and enforcement of rules and regulations for the technical codes adopted by the city. All provisions of the California Administrative Code, 2022 Edition, are referred to, adopted and made a part of this code, as though fully set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

Chapter 15.08 BUILDING CODE

15.08.010 Adoption of the 2022 California Building Code

There is adopted and incorporated by reference herein as the city building code for the purpose of prescribing regulations in the city of Lemon Grove for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings and structures, the 2022 California Building Code. Except as otherwise provided by this chapter of the city of Lemon Grove Municipal Code, all erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings and structures within the city of Lemon Grove shall be in conformance with the 2022 California Building Code.

15.08.020 Findings.

The city of Lemon Grove has large brush-covered hillsides. The city is subject to frequent Santa Ana conditions consisting of dry gusting winds, which create extreme fire dangers. The city council specifically finds that these geographic and topographic conditions necessitate greater fire protection than that provided by the State Building Code. Therefore, this chapter alters the 2022 California Building Code to require more fire retardant roof coverings.

15.08.030 Deletions, revisions and additions to the 2022 California Building Code.

Deletions, revisions and additions to the 2022 California Building Code shall be as set forth in Sections 15.08.040 through 15.08.060.

15.08.040 Chapter 1, Scope and Administration, Division II—Deletions, revisions, and additions.

Section 101.1 is replaced to read: Title. These regulations shall be known as the Building Code of the City of Lemon Grove, hereinafter referred to as “this code.”

Add Section 103.1.1 General. Whenever the terms or the title “administrative authority,” “responsible official,” “Building Official,” “chief inspector,” “code enforcement officer” or other similar designation is used herein or in any of the technical codes, it shall be construed to mean the person appointed as Building Official by the Lemon Grove City Council or his or her duly authorized representative.

Add Section 105.3.1.1. Permits shall not be issued for construction on a site where the City Engineer determines that a grading permit or public improvements are required until the City Engineer notifies the Building Official that the grading or public improvements work has been satisfactorily completed to allow building permits to be issued. Permits shall not be issued if the City Engineer determines that a flooding or geologic condition at the site may endanger the public safety or welfare.

Add Section 105.3.3 Permit denial. The chief building official may deny the issuance of a building permit on any property where there exists an unsafe or substandard building as provided in this title, or where unlawful construction exists, or where exists a significant violation of this code.

Add Section 105.5.1 Expiration of Plan Review. Applications for which no permit is issued within one year following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

Add Section 109.1.1 Fee Exceptions. The Government of the United States of America, the State of California, and local school districts proposing work exempt from building permits, the County of San Diego, and the City of Lemon Grove shall not be required to pay any fees for filing an application for a building permit pursuant to this code unless City plan review and inspection services are requested. If so requested, the fee schedules adopted in a resolution by the City Council shall apply.

Add Section 109.2.1 Plan Review Fees. When submittal documents are required by Section 107, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be as shown in a resolution adopted by the City Council. The plan review fees specified in this section are separate fees from the permit fees specified in Section 109.2 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107.3.4.1, an additional plan review fee shall be charged at the rate shown in a resolution duly adopted by the City Council.

Add Section 109.2.2 Demolition Permit Fee. The fee for a permit to demolish a building or portion of a building shall be as set forth in a resolution duly adopted by the City Council.

Section 109.3 is replaced to read: Building Permit Valuations. The determination of value or valuation under any of the provisions of these codes shall be made by the building official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire-extinguishing systems and other permanent equipment. The permit fees for those projects subject to State energy code compliance shall be as set forth in a resolution adopted by the City Council.

Section 109.6 is replaced to read:

Fee Refunds. The building official may authorize refunding of a fee paid or portion of a fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 114.4 is replaced to read: Violation penalties. Any person, firm, or corporation violating any of the provisions of this Code or the Technical Codes shall be guilty of a misdemeanor, and each such person shall be deemed guilty of separate offenses for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continues or permitted, and upon conviction of any such violation, such person shall be punished by a fine of not more than \$500.00 or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

Add Section 114.5 Declaration of Public Nuisance. Any building or structure erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished, equipped, used, occupied or maintained contrary to the provisions of this chapter shall be and the same is hereby declared to be unlawful and a public nuisance. The City Attorney shall, upon order of the City Council, commence necessary proceedings for the abatement, removal and/or enjoinder of any such public nuisance in the manner provided by law. Any failure, refusal or neglect to obtain permit as required by this chapter shall be prima facie evidence of the facts that a public nuisance has been committed in connection with the erection, construction, enlargement, alteration, repair, improvement, movement, removal, conversion or demolition, equipment, use occupancy, or maintenance of a building or structure erected, constructed, enlarged, repaired, moved, improved, removed, converted, or demolished, used, occupied, or maintained contrary to the provisions of this chapter.

15.08.060 Appendix Chapters C, H, and I.

Appendix Chapters C, H and I of the 2022 California Building Code are adopted.

Chapter 15.10 RESIDENTIAL CODE

15.10.010 Adoption of the 2022 California Residential Code, Part 2.5, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the city residential code for the purpose of establishing provisions for the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade, the 2022 California Residential Code. Except as otherwise provided by this title of the city of Lemon Grove Municipal Code, all construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal or demolition of detached one- and two-family dwellings and townhouses not more

than three stories above grade within the city of Lemon Grove, shall be in conformance with the 2022 California Residential Code, published by the California Building Standards Commission.

15.10.020 Chapter 1, Division II, Administration of the 2019 California Residential Code shall be amended as follows:

Section R101.1 is replaced to read: Title. These regulations shall be known as the Residential Building Code of the City of Lemon Grove, hereinafter referred to as “this code.”

Add Section R103.1.1 General. Whenever the terms or the title “administrative authority,” “responsible official,” “Building Official,” “chief inspector,” “code enforcement officer” or other similar designation is used herein or in any of the technical codes, it shall be construed to mean the person appointed as Building Official by the Lemon Grove City Council or his or her duly authorized representative.

Add Section R105.1.1 Permit denial. The chief building official may deny the issuance of a building permit on any property where there exists an unsafe or substandard building as provided in this title, or where unlawful construction exists, or where a significant violation of this code exists.

Section R105.3.1 shall be amended to add: Permits shall not be issued for construction on a site where the City Engineer determines that a grading permit or public improvements are required until the City Engineer notifies the Building Official in writing that the grading or public improvements work has been satisfactorily completed to allow building permits to be issued.

Permits shall not be issued if the City Engineer determines that a flooding or geologic condition at the site may endanger the public safety or welfare.

Add Section R108.1.1: The Government of the United States of America, the State of California, and local school districts proposing work exempt from building permits, the County of San Diego, and the City of Lemon Grove shall not be required to pay any fees for filing an application for a building permit pursuant to this code unless City plan review and inspection services are requested. If so requested, the fee schedules adopted in a resolution by the City Council shall apply.

Section R108.5 is replaced to read: Fee Refunds. The building official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section R113.4 is replaced to read: Violation penalties. Any person, firm, or corporation violating any of the provisions of this Code or the Technical Codes shall be guilty of a misdemeanor, and each such person shall be deemed guilty of separate offenses for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continues or permitted, and upon

conviction of any such violation, such person shall be punished by a fine of not more than \$500.00 or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

Add Section R113.5 Declaration of Public Nuisance. Any building or structure erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished, equipped, used, occupied or maintained contrary to the provisions of this chapter shall be and the same is hereby declared to be unlawful and a public nuisance. The City Attorney shall, upon order of the City Council, commence necessary proceedings for the abatement, removal and/or enjoinder of any such public nuisance in the manner provided by law. Any failure, refusal or neglect to obtain permit as required by this chapter shall be prima facie evidence of the facts that a public nuisance has been committed in connection with the erection, construction, enlargement, alteration, repair, improvement, movement, removal, conversion or demolition, equipment, use occupancy, or maintenance of a building or structure erected, constructed, enlarged, repaired, moved, improved, removed, converted, or demolished, used, occupied, or maintained contrary to the provisions of this chapter.

15.10.040 Appendix Chapter H.

Appendix Chapter H of the 2022 California Residential Building Code is hereby adopted.

Chapter 15.14 ELECTRICAL CODE

15.14.010 Adoption of the California Electrical Code, Part 3, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the city electrical code for the purpose of prescribing regulations in the city of Lemon Grove for the installation, alteration or repair of electrical systems and permit requirements and inspection thereof, the 2022 California Electrical Code, Part 3, Title 24 of the California Code of Regulations, a portion of the 2022 California Building Standards Code based on the National Electrical Code. Except as otherwise provided by this chapter of the city of Lemon Grove Municipal Code, all installation, alteration or repair of electrical systems within the city of Lemon Grove shall be in conformance with 2022 California Electrical Code, published by the California Building Standards Commission.

Chapter 15.18 MECHANICAL CODE

15.18.010 Adoption of the California Mechanical Code, Part 4, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the city mechanical code for the purpose of prescribing regulations in the city of Lemon Grove for the erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances, the 2022 California Mechanical Code, Part 4, Title 24 of the California Code of Regulations, a portion of the 2022 California Building Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq. Except as otherwise provided by this chapter of the city of Lemon Grove Municipal Code, all erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing

appliances shall be in conformance with 2022 California Mechanical Code and any rules and regulations promulgated pursuant thereto, published by the California Building Standards Commission.

Chapter 15.20 PLUMBING CODE

15.20.010 Adoption of the California Plumbing Code, Part 5, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the city plumbing code for the purpose of prescribing regulations in the city of Lemon Grove for the construction, alteration, moving, demolition, repair and use of all plumbing, gas or drainage piping and systems or water heating or treating equipment in or on any building or structure or outdoors on any premises or property, the 2022 California Plumbing Code, Part 5, Title 24 of the 2022 California Code of Regulations, a portion of the 2022 California Building Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq. Except as otherwise provided by this chapter of the city of Lemon Grove Municipal Code, all construction, alteration, moving, demolition, repair and use of all plumbing, gas or drainage piping and systems or water heating or treating equipment within the city of Lemon Grove shall be in conformance with 2022 California Plumbing Code which is based on the Uniform Plumbing Code published by the California Building Standards Commission.

Chapter 15.22 ENERGY CODE

15.22.010 Adoption of the 2016 California Energy Code, Part 6, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the city energy code for the purpose of prescribing regulations in the city of Lemon Grove for the conservation of energy the 2022 California Energy Code, Part 6, Title 24 of the California Code of Regulations, a portion of the 2022 California Building Standards Code, as defined in the California Health and Safety Code, Section 18901. Except as otherwise provided by this chapter of the city of Lemon Grove Municipal Code, all construction of buildings where energy will be utilized shall be in conformance with California State Code and any rules and regulations promulgated pursuant thereto, including the 2022 California Energy Code, published by the California Energy Commission.

Chapter 15.24 HISTORIC BUILDING CODE

15.24.010 Adoption of the 2022 California Historic Building Code, Part 8, Title 24 of the California Code of Regulations.

The 2022 California Historic Building Code is hereby adopted by reference without change to Buildings and Construction Title 15 of the Lemon Grove Municipal Code.

Chapter 15.26 FIRE CODE

15.26.010 California Fire Code, 2022 Edition—Adopted by reference.

The California Fire Code, 2022 Edition, and including Appendix Chapters 4, B, BB, C, CC, H, and O but excluding section 111 and 112.4 as published by the International Code Council, is adopted by reference as the fire code of the city (the “fire code”), for protecting the interests of health, life and safety as they relate to the use or occupancy of building or premises. All of the regulations, provisions, penalties, conditions and terms of the California Fire Code 2022 Edition, are referred to adopt and made a part of this chapter as though fully set out in this chapter, excepting such portions as are added, deleted, modified or amended by this chapter. The California Fire Code is referred to in this chapter as the “CFC” and one copy is on file in the office of Lemon Grove City Clerk.

Repealing of Previous Ordinance

The City of Lemon Grove adopting by reference the California Fire Code, 2022 Edition, known as the California Code of Regulations, Title 24, Part 9 incorporating the International Fire Code, 2018 Edition, published by the International Code Council, and all other ordinances or parts of ordinance in conflict herewith are hereby repealed.

15.26.020 Section 101.1 Amended—Title.

Section 101.1 of the CFC is amended to read as follows:

101.1 Title. These regulations will be known as the Fire Code of the City of Lemon Grove, hereinafter referred to as “this code.”

15.26.030 Section 105.3.1 Amended—Expiration.

Section 105.3.1 of the CFC is amended to read as follows:

105.3.1 Expiration. An operational permit shall remain in effect until reissued, renewed or revoked, or such a period of time as specified in the permit. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within one hundred eighty days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of one hundred eighty days after the time the work is commenced. The max life of any construction permit is three years. If a final inspection is not obtained within the three-year time period, a permit will become invalid and a new permit will be required. Before such work commences, a new permit shall be first obtained and the fee to recommence work, if any, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. Permits are not transferable and any changes in occupancy, operation, and tenancy or ownership shall require that a new permit be issued.

15.26.040 Section 111 Amended and 111.1 added—Board of appeals.

Section 111 of the CFC is amended to read as follows:

Appeals Board. Appeals to the decisions or determinations made by the Fire Marshal, or fire code official relative to the application and interpretation of the fire code adopted by the City, the applicant may appeal the decision to the Lemon Grove City Council within thirty (30) days from the date of the decision appealed

Section 111.1: Limitations on authority. An Application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder has been incorrectly interpreted, the provision of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall not have authority to waive requirements of this code.

15.26.050 11.04.060 Section 112.4 Amended- Violation Penalties.

Section 112.4 is amended to read as follows:

Violation Penalties. Any person who violates a provision of this code or shall fail to comply with any of the requirements thereof or who shall to erect, install, alter, repair or do work in violation of the approved construction documents or lawful directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of an infraction, punishable by a fine of not more than \$1,000 dollars in the manner established in Lemon Grove Municipal Code Section 1.12.010(c). Each day that causes any incident and thereby requires the agency to provide emergency response shall reimburse the agency for the cost incurred. A violation continues after due notice has been served shall be deemed a separate offense The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time as determined by the fire code official.

15.26.060 Section 113.4 Amended—Failure to comply.

Section 113.4 of the CFC is amended to read as follows:

Section 113.4 Failure to Comply. Any person, who shall continue any work having been served with a stop work notice, except such work as that the person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$250.00 dollars or more than \$1,000 dollars as provided by the Lemon Grove Municipal Code Section 1.12.010(c).

15.26.070 Section 107 amended and added—Schedule of fees.

Section 107.2 of the CFC is amended to read as follows:

107.2 Schedule of fees. The permit fees for all permits authorized by this code shall be as listed in the City of Lemon Grove Schedule of Fees.

Section 107.7 of the CFC is added to read as follows:

107.7 Cost Recovery. This section is to establish authority to obtain reimbursements from responsible individuals for the expenses of any emergency response and/or code enforcement action by the City of Lemon Grove Fire Department to protect the public from fire or hazardous substances and situations as allowed by the general laws of the State of California and the Lemon Grove Municipal Code.

Section 113.8 of the CFC is added to read as follows:

113.8 Reimbursements.

(a) in accordance with the Health as Safety Code Section 13000 et seq., any individual who acts negligently or in violation of the law and thereby requires the jurisdiction to provide an emergency response to a danger posed by a fire or hazardous substances shall be liable for reimbursement to the agency for the cost incurred.

(b) In accordance with Government Code Sections 53150 through 53158, any individual who is under the influence of an alcoholic beverage or any drug or the combined influence of an alcoholic beverage or any drug, and whose negligent operation of a motor vehicle, boat or vessel, or civil aircraft caused by that influence, proximately causes any incident and thereby requires that agency to provide an emergency response shall reimburse the agency for the cost incurred.

Section 113.9 of the CFC is added to read as follows:

113.9 Expense Recovery. This section establishes authority to obtain from responsible individuals for the expense of any emergency response and/or enforcement action by the City of Lemon Grove Fire Department to protect the public from fire, hazardous substances and dangerous situations as allowed under the Lemon Grove Municipal Code and by laws of the State of California.

Section 113.10 of the CFC is added to read as follows:

113.10 Cumulative Remedies. The remedies contained in this code are cumulative and inclusive of other remedies contained in the Lemon Grove Municipal Code. Nothing herein prevents the City Attorney or appropriate enforcement officer from pursuing remedies set out in Chapters 1.12, 1.14, 1.24 or any other remedy at law or equity to address violations of this code. Nothing herein shall prevent the application of civil remedies authorized by Lemon Grove Municipal Code Section

1.12.010(e)

15.26.080 Section 202 Amended—Definitions.

Section 202 of the CFC is amended by adding the following definitions:

Accessory Structure is a building or structure used to shelter or support any material, equipment, chattel, or occupancy other than a habitable building. (A) (See Structure).

Combustible Vegetation is material that in its natural state will readily ignite, burn and transmit fire from the vegetation growth to any structure: this includes ground fuels which are any native or landscape vegetation not considered a tree and generally in contact with the ground.

Fire Authority Having Jurisdiction (FAHJ) is the designated entity providing enforcement of the fire regulations as they relate to planning, construction, and development. This entity may also provide fire suppression and other emergency services.

Fire Department is any regularly organized fire department, fire protection district, a legally formed volunteer fire department recorded with the County of San Diego, or a fire company regularly charged with the responsibility of providing fire protection to the jurisdiction.

Fire Hazard is anything that increases or could create an increase of hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing or extinguishing fire or anything or act which could obstruct, delay, hinder or interfere with the operations of the fire department or egress of the occupants in the event of fire.

Fuel Modification Zone is a strip of land where combustible vegetation has been thinned, modified or both and partially or totally replaced with approved drought tolerant, fire resistant, and/or irrigated plants to provide an acceptable level of risk from vegetation fires. Fuel modification reduces radiant and convective heat, thereby reducing the amount of heat exposure on the roadway or structure and providing fire suppression forces a safer area in which to take action.

Hazardous Fire Area is any geographic area mapped by State or local jurisdiction as a high or very high fire hazard area, or as set forth by the FAHJ that contains the type and condition of vegetation, topography, weather, and structure density to potentially increase the possibility of vegetation conflagration fires shall be considered a hazardous fire area.

Heavy Timber Construction as described in the California Building Code.

Off-site Roadway is a road, street, public highway, or private road, used for fire apparatus access from a publicly maintained road to the boundary of the subject property.

On-site Roadway is a road, street, public highway, private road, or driveway used for fire apparatus access within the boundaries of the subject property or land division.

Planning Authority Having Jurisdiction (PAHJ) is the identified authority regulating and enforcing planning and/or construction standards.

Response Time is the elapsed time from the fire department's receipt of the first alarm to when the first fire unit arrives on the scene.

Travel Time is the estimated time it would take for a responding agency to travel from the fire station to the furthest structure in a proposed development project, determined by measuring the safest, most direct, appropriate, and reliable route with consideration given to safe operating speeds for heavy fire apparatus.

Vegetation Conflagration is an uncontrolled fire spreading through vegetative fuels, and exposing and consuming structures in the advancing path of fire.

15.26.090 Section 503.2.1 Amended—Dimensions.

Section 503.2.1 of the CFC is amended to read as follows:

Section 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed improved width of not less than twenty (20) feet, except for single family residential driveways not to exceed 150 feet in length from the public-right-a-way and serving no more than two single family dwellings, shall have a minimum of sixteen (16) feet unobstructed improved width. Any of the following, which have separated lanes of one way traffic: gated entrances with card readers; guard stations or center medians, are allowed, provided that each lane is not less than fourteen (14) feet wide. All fire apparatus access roads shall have an unobstructed vertical clearance of not less than thirteen feet six inches (13'6"). Vertical clearance or road width shall be increased when, in the opinion of the fire code official, vertical clearances or road widths are not adequate to provide fire apparatus access.

15.26.100 Section 503.3.1 Added—Fire lane designation.

Section 503.3.1 of the CFC is added to read as follows:

503.3.1 Fire lane designation. Where the fire code official determines that it is necessary to ensure adequate fire access, the fire code official may designate existing roadways as fire access roadways as provided by Vehicle Code Section 22500.1(public) or 22658(a) (private).

15.26.110 Section 505.1 amended—Premises identification.

Section 505.1 of the CFC is amended to read as follows:

Section 505.1 Address Identification. Address Numbers. Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background, and shall meet the following minimum standards as to size: minimum three inches (3") high with a one-half inch (½") stroke for individual suites and apartments, minimum four inches (4") high with a one-half inch (1/2") stroke for residential buildings, minimum eight inches (8") high and one-half (1/2") stroke for commercial, multi-residential building, and industrial buildings. Additional numbers shall be required where deemed necessary by the fire code official, such as rear access doors, building corners, and entrances to commercial centers. The fire code official may require larger address numbers based on visibility and the needs of emergency response personnel.

15.26.120 Section 505.3 added—Response Map Updates.

Section 505.3 of the CFC is added to read as follows:

505.3 Response map Updates. Any new development, which necessitates updating of the emergency response maps by virtue of new structures, hydrants, roadways or similar features, shall be required to provide map updates in a format compatible with current department mapping services, and shall be charged a reasonable fee for updating all response maps.

15.26.190 Section 5704.2.9.6.1 Amended—Location where above-ground tanks are prohibited.

Section 5704.2.9.6.1 of the CFC is amended to read as follows:

Location where above-ground tanks are prohibited. Storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited except for zones classified as commercial or industrial.

15.26.200 Section 5706.2.4.4 Amended—Location where above-ground tanks are prohibited.

Section 5706.2.4.4 of the CFC is amended to read as follows:

5706.2.4.4 Location where above-ground tanks are prohibited. Storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited except for zones classified as commercial or industrial.

15.26.210 Section 5806.2 Amended—Limitations.

Section 5806.2 of the CFC is amended to read as follows:

5806.2 Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited except for zones classified as commercial or industrial.

15.26.220 Section 6104.2 Amended—Maximum capacity within established limits.

Section 6104.2 of the CFC is amended to read as follows:

6104.2 Maximum capacity within established limits. The geographic limit in which the bulk storage of liquefied petroleum gas is prohibited for the protection of heavily populated and congested areas is hereby established as jurisdiction limits of the City of Lemon Grove except for areas zoned for industrial use.

Chapter 15.28 EXISTING BUILDING CODE

15.28.010 Adoption of the 2016 California Existing Building Code, Part 10, Title 24 of the California Code of Regulations.

The California Existing Building Code, 2022 Edition, Chapter 15.28 is adopted by reference without change to Buildings and Construction Title 15 of the Lemon Grove Municipal Code.

Chapter 15.30 GREEN BUILDING CODE

15.30.010 Adoption of the 2022 California Green Building Code, Part 11, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the city green building code for the purpose of prescribing regulations in the city of Lemon Grove for improved public health safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encourage sustainable construction practices, the 2022 California Green Building Standards Code, Part 11, Title 24 of the California Code of Regulations, a portion of the 2022 California Building Standards Code, as defined in the California Health and Safety Code, Section 18901. Except as otherwise provided by this chapter of the city of Lemon Grove Municipal Code, all construction of buildings shall comply with the design, operation construction, use and occupancy of every newly constructed building or structure, unless otherwise indicated in this code shall be in conformance with the California Green Building Code published by the California Building Standards Commission.

Chapter 15.32 REFERENCE STANDARDS CODE

15.32.010 Adoption of the 2022 California Referenced Standards Code, Part 12, Title 24 of the California Code of Regulations.

The California Referenced Standards Code, 2022 Edition, Chapter 15.32 is adopted by reference without change to Buildings and Construction Title 15 of the Lemon Grove Municipal Code.